

**RECEIVED
CENTRAL FAX CENTER**

SEP 07 2004

Serial No.: 09/836,637

PA000007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Inventor : **Alberto Borgonovo**
Serial No. : **09/836,637**
Filed : **April 17, 2001**
Title : **CABINET FOR AUDIO DEVICES**
Examiner : **Minsun Oh Harvey**
Art Unit : **2644**

Mail Stop Appeal Brief-Patents
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

S I R:

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 7, 2004 at facsimile number (703) 872-9306.


Patricia A. Verlangieri

APPELLANTS' BRIEF UNDER 37 C.F.R. § 1.192

On April 8, 2004, Appellants filed a timely Notice of Appeal (that was received in the United States Patent and Trademark Office on April 8, 2004) from the action of the Examiner finally rejecting pending claims 1-5. The Appellants herein file this Brief in accordance with 37 C. F. R. § 1.192.

1. IDENTIFICATION OF THE REAL PARTY IN INTEREST

The real party in interest for the above-identified application is Thomson Licensing S. A., which is the assignee of record for this application.

Serial No.: 09/836,637

PA000007

2. IDENTIFICATION OF RELATED APPEALS OR INTERFERENCES

To the best of the Appellants' knowledge, there are no appeals or interferences that will be directly affected by, or will have a bearing on the decision of this appeal.

3. STATUS OF THE CLAIMS

The above-identified patent application was filed on April 17, 2001 claiming priority under 35 U. S. C. § 119 to European Patent Application No 00108438.3 filed April 18, 2000. Claims 1-5 were pending.

In a first Office Action, mailed March 20, 2003 (Paper No. 3), claims 1-5 were rejected.

In appellants' response to the first Office Action, dated June 3, 2003, claims 1-5 were amended.

The Examiner in a second Office Action, mailed October 8, 2003 (Paper No. 5), finally rejected claims 1-5.

The status of the claims is as follows:

Once amended claims 1-5. A copy of the claims, as amended, is attached as Appendix A. Claims 1-5 stand finally rejected.

4. STATUS OF THE AMENDMENTS

No amendments were made to the claims after final rejection. All amendments were entered.

Serial No.: 09/836,637

PA000007

5. SUMMARY OF THE INVENTION

Appellants' invention, as set forth in independent claim 1, is directed to a cabinet for an electronic device equipped with loudspeakers. See appellants' specification at page 1, lines 5-6. The cabinet includes a main cabinet 4 for housing electrical and mechanical components of the electronic device. See appellants' specification at FIG. 2a and page 2, lines 13-15. The cabinet also includes a loudspeaker cabinet 9. See appellants' specification at FIG. 2a and page 2, lines 15-16. The loudspeaker cabinet 9 is separate from the main cabinet 4 and is connected to the outside of the main cabinet 4 in a non-detachable manner. See appellants' specification at FIG. 2b and page 2, lines 16-18.

6. ISSUES

The issue on appeal is:

1. Whether appellants' claims 1-5 are anticipated by U. S. Patent No. 6,335,974 to Kunimoto (Kunimoto hereinafter).

7. GROUPING OF THE CLAIMS

All pending claims stand and fall together.

8. ARGUMENT

1. Claims 1-5 are not anticipated by Kunimoto

Kunimoto describes an acoustic apparatus. See Kunimoto at column 2, lines 5-9. The acoustic apparatus 1 has a cabinet 2. See Kunimoto at FIG. 1 and column 3, line 17. The cabinet 2 includes woofers 4 and tweeters 5 positioned within such cabinet and adjacent to a cathode ray tube 7. See Kunimoto at FIG. 1

Serial No.: 09/836,637

PA000007


and column 3, lines 29-36. The tweeters 5 are positioned within a top area of the cabinet 2 along a line C-D shown in FIG. 1. See Kunimoto at FIG. 1. The woofers 4 are positioned within a bottom area of the cabinet 2, below the tweeters 5, along a line A-B shown in FIG. 1. See Kunimoto at FIG. 1.

In appellants' claims 1-5, a cabinet for an electronic device equipped with loudspeakers is described. See appellants' specification at page 1, lines 5-6. The cabinet includes a main cabinet 4 for housing electrical and mechanical components of the electronic device. See appellants' specification at FIG. 2a and page 2, lines 13-15. The cabinet also includes a loudspeaker cabinet 9. See appellants' specification at FIG. 2a and page 2, lines 15-16. The loudspeaker cabinet 9 is separate from the main cabinet 4 and is connected to the outside of the main cabinet 4 in a non-detachable manner. See appellants' specification at FIG. 2b and page 2, lines 16-18.

Kunimoto does not describe or suggest an electronic device having a cabinet including a main cabinet for housing electrical and mechanical components of the electronic device, as well as a loudspeaker cabinet that is separate from the main cabinet and is connected to the outside of the main cabinet in a non-detachable manner. In particular, Kunimoto only teaches an acoustic apparatus having a cabinet including woofers and tweeters positioned within such cabinet and adjacent to a cathode ray tube. Therefore, appellants' submit that claims 1-5 are not anticipated by Kunimoto.

In view of the foregoing arguments, appellants' respectfully request that the Examiners' rejection of claims 1-5 be reversed. Favorable action is respectfully requested.

Respectfully submitted,
Alberto-Borgonovo


Patricia A. Verlangieri
Reg. No. 42,201
(609) 734-6867

Serial No.: 09/836,637

PA000007

Thomson Licensing
P. O. Box 5312
Princeton, New Jersey 08543-5312

September 7, 2004

Attachments
Appendix A - Claims 1-5

Serial No.: 09/836,637

PA000007

APPENDIX A - CLAIMS

1. A cabinet for an electronic device equipped with a loudspeaker for audio reproduction characterized in that said cabinet comprises a main cabinet for housing electrical and mechanical components of the electronic device and further comprises a loudspeaker cabinet for said loudspeaker, said loudspeaker cabinet being separate from said main cabinet and connected to the outside of the main cabinet in a non-detachable manner.
2. The cabinet according to claim 1 characterized in that a vibration damping means is arranged between the main cabinet and the loudspeaker cabinet.
3. The cabinet according to claim 1 characterized in that inside the loudspeaker cabinet, electronic circuitry is arranged.
4. The cabinet according to claim 1 characterized in that the main cabinet is provided with urging means pressing the loudspeaker cabinet against the main cabinet.
5. The cabinet according to claim 4 characterized in that said urging means are arranged such that the loudspeaker cabinet is pressed against the vibration damping means.